

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE ACCURAY, INC. SHAREHOLDER
DERIVATIVE LITIGATION

No. 09-CV-5580 CW

ORDER DISMISSING
CASE

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This case involves a shareholder derivative complaint. On August 31, 2010, this Court granted Defendants' motion to dismiss, and granted Plaintiffs leave to file an amended complaint. Docket No. 53. On September 27, 2010, Plaintiffs filed a notice of their intent not to file an amended complaint. Docket No. 58. For this reason, the case is dismissed. The case management conference scheduled for October 19, 2010 at 2:00 pm is vacated. The Clerk shall enter judgment for Defendants, who may recover their costs from Plaintiffs.

IT IS SO ORDERED.

Dated: 10/6/2010



CLAUDIA WILKEN
United States District Judge